

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SALVATORE TANTILLO,

Plaintiff

Docket No. 23-cv-1447(TJM/ML)

AFFIDAVIT

-against-

NEW YORK STATE TROOPER BRANDON D. SMITH, COMPLETE CLAIMS SERVICES, LLC, FRANK AND SONS AUTOBODY, PURE INSURANCE, SUSAN LYNCH and ARBITRATION FORUMS, INC.,

Defendants.

STATE OF Connecticut)
SS:)
COUNTY OF Fairfield)

SUSAN LYNCH, first being duly sworn, deposes and says the following under the penalties of perjury:

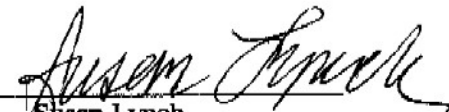
1. I am a defendant in the in the above-captioned action and have personal knowledge of all of the facts and circumstances of the within action.
2. On May 27, 2023, I was involved in a motor vehicle accident at the Sunoco gas station on Old Route 17 in Roscoe, New York. I pulled into the gas station and stopped waiting for one of the gas pumps to become available. While stopped and waiting, a pick-up truck parked ahead of me to the right, backed out of the parking spot and hit the front passenger side of my car in the area of the passenger side headlight. The impact caused damage to my vehicle. The pick-up truck was operated by plaintiff, Salvatore Tantillo.

3. A New York State Trooper responded to the accident location and prepared a report of the accident after speaking to both myself and Mr. Tantillo about what happened. I reviewed the narrative portion of the police report and it accurately describes the conversations had at the accident scene.

4. Following the accident, a claim for property damage to my vehicle was submitted to my insurance carrier PURE and to the plaintiff's insurance carrier, State Farm. State Farm, denied the claim and PURE paid to have my vehicle repaired.

5. I learned that PURE arbitrated the property damage claim with State Farm through Arbitration Forums. I was not a party to that arbitration. I had no role in the arbitration.

6. On or about November 29, 2023, I received by certified mail the summons and complaint in this action. The papers I received did not contain a cover letter or a request to waive formal service of process. The envelope simply contained the court papers. I did not receive any additional copies of the court papers either in person, by mail or other type of delivery service.


Susan Lynch

Sworn to before me this
22nd day of December, 2023


Notary Public

